

GIBBONS P.C.

Robert K. Malone, Esq.
Mark B. Conlan, Esq.
Christopher P. Anton, Esq.
Kyle P. McEvilly, Esq.
One Gateway Center
Newark, New Jersey 07102
Telephone: (973) 596-4500
Email: rmalone@gibbonslaw.com
mconlan@gibbonslaw.com
cantan@gibbonslaw.com
kmcevilly@gibbonslaw.com

Attorneys for the Cipolla Defendants

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

In re:

NATIONAL REALTY INVESTMENT
ADVISORS, LLC,

Debtor.

AIRN LIQUIDATION TRUST CO., LLC, in
its capacity as Liquidation Trustee of the
AIRN LIQUIDATION TRUST,

Plaintiff,

v.

JOSEPH CIPOLLA, CIPOLLA & CO., LLC,
CFA ASSURANCE SERVICES LLC, CFA
REVIEW SERVICES LLC, CFA TAX
SERVICES LLC, CIPOLLA FINANCIAL
ADVISORS LLC, and DOES 1-100,

Defendants.

Chapter 11

Case No. 22-14539 (JKS)

Hon. John K. Sherwood

Adv. Pro. No. 24-01097-JKS

**ORDER DISMISSING PLAINTIFF'S FIRST AMENDED ADVERSARY
COMPLAINT PURSUANT TO BANKRUPTCY RULE 7012**

The relief set forth on the follow page, numbered (2), be and is hereby **ORDERED**.

Page: 2
Debtor: National Realty Investment Advisors, LLC
Case No.: 22-14539 (JKS)
Adv. Pro. No.: 24-01097 (JKS)
Caption: *Order Dismissing Plaintiff's First Amended Adversary Complaint Pursuant to Bankruptcy Rule 7012*

THIS MATTER, having been opened before the Court by the *Motion of Cipolla Defendants to Dismiss Plaintiff's First Amended Adversary Complaint Pursuant to Rule 7012 of the Federal Rules of Bankruptcy Procedure* (the “**Motion to Dismiss**”);¹ and good and sufficient notice of the Motion to Dismiss having been provided by the Cipolla Defendants; and the Court having conducted a hearing (the “**Hearing**”) to consider the Motion to Dismiss and any responses and objections thereto; and the Court having reviewed and considered (i) the Motion to Dismiss, (ii) responses and objections thereto, if any, and (iii) the arguments of counsel made, and the evidence proffered or adduced, at the Hearing; and for good and sufficient cause having been shown for the entry of this Order;

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, made applicable by Rule 7012 of the Federal Rules of Bankruptcy Procedure, the Motion to Dismiss by the Cipolla Defendants be and is hereby **GRANTED**.

2. The Amended Complaint is **DISMISSED** with **PREJUDICE**.

¹ Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Motion to Dismiss.